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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 2:14-CR-287-KJD-(CWH)
9 Plaintiff,)
10 v.) Preliminary Order of Forfeiture
11 ANDREW JOHN GIBSON,)
12 Defendant.)

13 This Court finds that defendant Andrew John Gibson was found guilty of Count One of a
14 One-Count Criminal Indictment charging him with Receipt of Child Pornography in violation of
15 Title 18, United States Code, Section 2252A(a)(2). Criminal Indictment, ECF No. 1; Minutes of
16 Jury Trial, ECF No. 191; Jury Verdict, ECF No. 193.

17 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
18 America has shown the requisite nexus between property set forth in the Bill of Particulars and
19 the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant Andrew
20 John Gibson was found guilty. Criminal Indictment, ECF No. 1; Bill of Particulars, ECF No. 35;
21 Minutes of Jury Trial, ECF No. 191; Jury Verdict, ECF No. 193.

22 The following property is (1) any visual depiction described in Title 18, United States
23 Code, Section 2252A, or any book, magazine, periodical, film, videotape, or other matter which
24 contains any such visual depiction, which was produced, transported, mailed, shipped or received
25 in violation of Title 18, United States Code, Section 2252A(a)(2) and (2) any property, real or
26 personal, used or intended to be used to commit or to promote the commission of Title 18,

1 United States Code, Section 2252A(a)(2) or any property traceable to such property, and is
2 subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and 2253(a)(3):

- 3 1. Corsair computer, s/n: 13159734;
- 4 2. Samsung 500GB SATA drive, Model No. HD501LJ, s/n: S0MUJ1BQB04843;
- 5 3. Hitachi 640GB SATA drive, Model No. HDT721064SLA360, s/n:
- 6 MG1HU4BK;
- 7 4. Dell laptop, s/n: 3NXR3H1; and
- 8 5. HP computer, s/n: MXK4200MRJ

9 (all of which constitutes property).

10 This Court finds the United States of America is now entitled to, and should, reduce the
11 aforementioned property to the possession of the United States of America.

12 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
13 the United States of America should seize the aforementioned property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
15 of Andrew John Gibson in the aforementioned property is forfeited and is vested in the United
16 States of America and shall be safely held by the United States of America until further order of
17 the Court.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
19 America shall publish for at least thirty (30) consecutive days on the official internet government
20 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
21 property, state the time under the applicable statute when a petition contesting the forfeiture must
22 be filed, and state the name and contact information for the government attorney to be served
23 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
24 Section 853(n)(2).

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
26 entity who claims an interest in the aforementioned property must file a petition for a hearing to

1 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
2 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
3 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
4 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
5 facts supporting the petitioner's petition and the relief sought.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
7 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
8 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
9 sixty (60) days after the first day of the publication on the official internet government forfeiture
10 site, www.forfeiture.gov.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
12 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
13 the following address at the time of filing:

14 Michael A. Humphreys
15 Assistant United States Attorney
16 Daniel D. Hollingsworth
17 Assistant United States Attorney
18 501 Las Vegas Boulevard South, Suite 1100
19 Las Vegas, Nevada 89101.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
21 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
22 agency following publication of notice of seizure and intent to administratively forfeit the above-
23 described property.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
25 of this Order to all counsel of record.

26 DATED this 12th day of May, 2017.


UNITED STATES DISTRICT JUDGE